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POLITICS AND POLICY

Investigators in Pollard Case Confront History Of Accommodation by U.S., Israeli Spy Agencies

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WASHINGTON—U.S. officials investigating Jonathan J. Pollard, a Navy civilian employee accused of spying for Israel, are trying to get to the bottom of the case without seriously damaging the close relationship between U.S. and Israeli intelligence services.

Apart from diplomatic considerations, the officials must deal with two contending forces within the U.S. counterintelligence community. The Federal Bureau of Investigation, which has a long, mystery-shrouded and largely frustrating history of probing apparent Israeli efforts to gain access to U.S. secrets and prohibited technology, wants to pursue the case vigorously.

But some officials in the Central Intelligence Agency and American military intelligence services are worried about the damage the case may cause in relations with the main Israeli intelligence agencies, led by Mossad. Israel has been a major pipeline of information to the U.S. on Soviet intelligence and on activities of Arab terrorists.

One former U.S. intelligence official calls Israel's drive for U.S. secrets part of the "background noise" to what has been a "most fruitful intelligence relationship going back many years."

Amid this conflict, cases of alleged Israeli spying during the past 20 years have been accompanied by missing witnesses and evidence, and occasional instances of strong political pressures to close investigations without bringing criminal charges.

But the Pollard case is "an unusually patent violation," where the FBI has found itself with a windfall of evidence, says one investigator. Mr. Pollard was turned in by fellow civilian workers at the Navy's Anti-Terrorist Alert Center in Suitland, Md., part of a complex run by the Naval Investigative Service. He admitted delivering classified documents to Israeli contacts for 18 months and receiving \$2,500 a month as payment. Moreover, FBI agents retrieved top secret documents from Mr. Pollard, his apartment and from his suitcase to back up its charges. The strength of the case so far suggests that "this one can't be buried," one investigator says.

The man trying to balance the conflicting U.S. interests is Abraham Sofaer, the State Department's legal adviser. He is

leading a team of U.S. investigators in Israel for secret talks with three men involved in what Israeli sources have described as an unauthorized, "rogue" intelligence-gathering network operating under the cover of an agency called the Science Liaison Bureau.

According to Mr. Pollard's admissions to the FBI, two of the men were his contacts in the U.S. Within a few hours of Mr. Pollard's admissions after his arrest on Nov. 21, his two alleged "handlers," Ilan Ravid, a science attache at the Israeli embassy in Washington, and Yosef Yagur, a science officer at Israel's consulate in New York, were secretly spirited home to Israel.

Aggravated Skepticism

That move aggravated skepticism within the FBI over the wording of a State Department statement, laboriously worked out with Israeli officials, "calling for discussions and other forms of cooperation" that will determine the facts of the Pollard case.

The developments in the Pollard case recall the history of conflict and lack of cooperation that can be read in the FBI files on allegations of Israeli spying over two decades.

There is even the case of the disappearing defendant. Last spring, federal investigators amassed enough evidence to indict a Huntington Beach, Calif., man, Richard K. Smyth, on charges of illegally exporting 800 krytrons to Israel. Krytrons are small switching devices that have several defense-related uses. One of them is in the trigger mechanism for nuclear weapons.

In August, on the eve of his trial, Mr. Smyth, 55, disappeared with his wife Emilie, leaving relatives with the impression that he had fled the country. Mr. Smyth's lawyer, Alan Croll, says he doesn't know where his client is, but he notes that Mr. Smyth was not charged with being an Israeli agent.

The granddaddy of probes involving suspicions of Israeli spying began in 1965 and included three separate FBI investigations ordered by the Johnson, Nixon and Ford administrations. The case, which was finally closed in 1981, concerned a still unexplained loss of 382 pounds of highly enriched uranium from a private processing plant, the Nuclear Materials and Equipment Corp. of Apollo, Pa.

According to documents later obtained from the FBI and other agencies under the Freedom of Information Act, the president of the plant, Zalman M. Shapiro, received frequent visits from Israeli diplomats and operated as a purchasing agent for the Israeli military while he ran the plant, which

processed bomb-grade metal for the U.S. government. U.S. weapons experts say it would take about 22 pounds of highly enriched uranium to make a bomb.

While they found some evidence, including a worker at the plant who recalled mysterious nighttime shipments protected by armed guards, FBI investigators ran into serious obstacles. One of them was an unexplained fire that destroyed most of the company's shipping records. The upshot of the case was that Mr. Shapiro lost his security clearance, but no charges were ever brought. Mr. Shapiro insisted the uranium loss was due to normal processing losses and that suspicions of a diversion to Israel were "ridiculous."

'Unusual Relationship'

Another FBI investigation involved Stephen D. Bryen, a former Senate Foreign Relations Committee aide, who was overheard talking to a group of Israeli Defense Ministry officials in a Washington restaurant in 1978. According to one witness, Mr. Bryen appeared to be offering the Israelis a Pentagon document showing the location of military bases in Saudi Arabia. Mr. Bryen denied the charge.

Justice Department memos on the case show that investigators found a "highly unusual relationship" between Mr. Bryen and Israeli diplomats, including one who visited Mr. Bryen's Senate office regularly and who appeared to be giving him "orders." According to his lawyer, Nathan Lewin, Mr. Bryen "flatly denied" the charges.

Under strong pressure from Justice Department officials and some members of the Senate Foreign Relations Committee to close the case, Justice Department lawyers concluded in a memorandum that they couldn't prove Mr. Bryen had violated espionage laws. The memo, later released under the Freedom of Information Act, said there were "unanswered questions" regarding Mr. Bryen's efforts to obtain sensitive information unrelated to his Senate job that would have been of "inestimable value to the Israelis."

Mr. Bryen is currently a deputy undersecretary at the Defense Department in charge of international trade security policy.

According to former U.S. intelligence officials, who asked not to be identified, there have been several other FBI investigations of alleged Israeli spy activity, most of them attempts to steal U.S. technology. The FBI says it cannot disclose how many other cases there are in its files because it does not discuss investigations that do not result in criminal charges.